

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

ROBERT JOE STRANGE,

Plaintiff,

v.

CORRECT CARE SOLUTIONS,

Defendant.

Case No. CIV-19-716-D

ORDER TO CURE DEFICIENCY

Robert Joe Strange (Plaintiff), an Oklahoma state prisoner appearing pro se, initiated this action by filing a complaint. See Doc. 1. Attached to his complaint is an “Affidavit In Forma Pauperis.” *Id.* at 5. Plaintiff has incorrectly utilized the OCCA Form 13.2 intended for use in criminal cases in Oklahoma state court. Before this Court can rule on Petitioner’s request to proceed without prepayment of the \$400 filing fee, Petitioner must submit the appropriate form for the Court’s consideration. The Court’s Local Rules provide:

(a) An applicant who seeks leave to proceed without prepayment of the filing fees must, at the time of initiating the civil action, suit, or proceeding, submit an application to proceed in forma pauperis on forms approved by this court and supplied by the clerk upon request. Failure to use such form or to furnish the court with the equivalent information required by the form will result in the application being stricken.

(b) In the case of a prisoner, such application must also include a certificate executed by an authorized officer of the

appropriate penal institution stating: (1) the amount of money or securities currently on deposit to the prisoner's credit in any institutional account; (2) the average monthly deposits to the prisoner's account for the 6-month period immediately preceding the filing of the action; and (3) the average monthly balance in the prisoner's account for the 6-month period immediately preceding the filing of the action.

(c) In the event the prisoner has been in more than one penal institution during the 6-month period immediately preceding the filing of the action, the prisoner must obtain the required certificate from the appropriate official at each institution.


(d) Pending the court's ruling on the application, the civil action, suit or proceeding will be deemed conditionally filed.

LCvR3.3(a)-(d).

Plaintiff's submission does not comply with the Local Rules. So that Plaintiff will have the opportunity to cure his deficient submission, **the Court directs the Clerk of Court to send to Plaintiff, along with a copy of this Order, the forms necessary for compliance with this Order and a complete copy of this Court's Local Civil Rules.**

The Court **ORDERS** Plaintiff to file the required form and documentation on or before Monday, August 26, 2019. The Court specifically advises and cautions Plaintiff that his failure to fully comply with this Order or to show good cause for any such failure will result—without further warning—in a recommendation to dismiss the action for failure to comply with a Court order and Court rules.

IT IS SO ORDERED this 6th day of August, 2019.



SUZANNE MITCHELL
UNITED STATES MAGISTRATE JUDGE